

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 15**

ADVANCED SERVICES, INC.

and

TABITA SHEPPARD HOWARD, an Individual

and

PRINCESS BALLARD, an Individual

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Cases 26-CA-063184
26-CA-071805

**GENERAL COUNSEL’S MOTION TO
WITHDRAW COMPLAINT ALLEGATION**

Pursuant to Section 102.24 of the Board’s Rules and Regulations, Counsel for the General Counsel requests that Chief Administrative Law Judge Robert A. Giannasi (the ALJ) grant this motion to withdraw paragraph 8 of the consolidated complaint which alleges Respondent maintains an unlawful rule in its *Solutions Policy Agreement* that requires all proceedings under the policy be kept confidential (the confidentiality rule). In a decision issued on December 22, 2015, the Board found that the confidentiality rule violated Section 8(a)(1) of the Act. *Advanced Services Inc.*, 363 NLRB No. 71 (2015). On November 30, 2018, the Board remanded the case to the ALJ for the preparation of a supplemental decision addressing whether the confidentiality rule violates the Act in light of *The Boeing Company*, 365 NLRB No. 154 (2017).

On January 7, 2019, Charging Party Howard requested to withdraw the confidentiality rule allegation covered in complaint paragraph 8 after agreeing that the General Counsel could no longer sustain his burden to demonstrate that the rule violates the Act under *Boeing*. Respondent's counsel was apprised of the withdrawal request during our January 8 conference call and stated no objection to the ALJ's instruction to file the instant motion.

The General Counsel maintains that it is appropriate for the ALJ to grant this motion since doing so would obviate the need for the parties to litigate this allegation of the complaint. If this motion is granted, no other issues will need to be litigated in this matter.

Dated: January 14, 2019 at Memphis, Tennessee.

/s/Christopher Roy

Christopher Roy, Counsel for the General Counsel
National Labor Relations Board, Region 15
80 Monroe Avenue, Suite 350
Memphis, Tennessee 38103

CERTIFICATE OF SERVICE

I hereby certify that on January 14, 2019, a copy of the General Counsel's Motion to Withdraw Complaint Allegation was filed by e-filing with the Division of Judges on the Board's website.

I further certify that on January 14, 2019, a copy of the General Counsel's Motion to Withdraw Complaint Allegation was served by e-mail on the following:

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/s/Christopher Roy

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